

**WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, APRIL 18, 2008**

The Board of Supervisors of the County of Warren convened at the Supervisors' Room in the Warren County Municipal Center, Lake George, New York, at 10:00 a.m.

Mr. Frederick Monroe presiding.

Salute to the flag was led by Supervisor Kenny.

Roll called, the following members present:

Supervisors Simmes, Monroe, Sheehan, Taylor, O'Connor, Kenny, Belden, Bentley, Merlino, Stec, Strainer, Champagne, VanNess, Sokol, Thomas, Haskell, and Geraghty - 17.

Absent: Supervisors Girard, Goodspeed and Tessier - 3.

Motion was made by Mr. Belden, seconded by Mr. Thomas and carried unanimously to approve the minutes of the March 21, 2008 Board of Supervisors Meeting, subject to correction by the Clerk.

Chairman Monroe declared the Public Hearing on the proposed Local Law No. 5 of 2008, open at 10:01 a.m. and requested the Clerk read the Notice of Public Hearing.

Clerk read the Notice of Public Hearing.

Mr. VanNess remarked that this proposed local law would be a great benefit to the County. He added that Sheriff York did a significant amount of research on this issue and he noted that currently, the County Jail Facility spent an astronomical amount of money on medical coverage for inmates. Therefore, he said, that by enacting this local law, if an inmate had medical insurance, the County would be reimbursed for any costs related to health issues and it would be a great boost to the Sheriff's Budget, as well as the County Budget.

Chairman Monroe questioned if when an inmate was processed, was information regarding medical coverage provided and Sheriff York replied that through this local law, that information would now be provided.

There being no one further wishing to speak on the proposed Local Law No. 5 of 2008, Chairman Monroe closed the Public Hearing at 10:05 a.m.

Chairman Monroe requested Hal Payne, Commissioner of Administrative and Fiscal Services, to come forward and present a certificate of recognition. Mr. Payne stated it was an honor and pleasure to recognize Amelia Kelly for her twenty-three years of dedicated service to the County at the Westmount Health Facility. He requested Supervisor Thomas to come forward and present the plaque to Mrs. Kelly. Mr. Thomas advised he was presenting this plaque to a very special person, his sister Amelia, and he also recognized her husband, Phil and her son

Brian, who were at the meeting today. He stated that his sister had always been a dedicated and hard worker and he wished her well in her retirement. The board members responded with applause.

Mrs. Kelly thanked the Board of Supervisors and noted she had really enjoyed her employment with Warren County; however, she said, she was looking forward to retirement. The board members responded with another round of applause.

Chairman Monroe called for reports by Committee chairmen on past activities and the following gave verbal reports:

Supervisor Geraghty, Budget; Supervisor Haskell, Real Property Tax Services and County Facilities; Supervisor Thomas, Personnel; Supervisor Sokol, Health Services; and Supervisor VanNess, Public Safety.

Concerning the Budget Committee, Mr. Geraghty advised he had requested all the Supervisors to send him their suggestions on how to reduce the Budget and he noted he would like those responses by the end of the month. He added that he had received two responses to date and said he appreciated that.

With regard to the Real Property Tax Services Committee, Mr. Haskell stated he had chaired the meeting in the absence of Supervisor Belden. He expounded that Michael Swan, Director of Real Property Tax Services, had informed the Committee that he had received several requests from the Adirondack Community Housing Trust to be a partner with the County in an effort to create affordable housing for middle income families. Mr. Haskell noted that the County Attorney had advised there was no legal way for the County to be involved.

In connection with the County Facilities Committee, Mr. Haskell said the Committee discussed a seven part plan on the new Health and Human Services Building. He reviewed the options that were discussed as follows: inclusion of an 8,300 square foot basement; preparation of the building for a future fourth floor, which the Committee did not recommend doing; purchase of a back-up generator, which the Committee decided against and would instead re-locate the generator currently stationed at the Social Services Building to the new building; construction of a transportation standing area for the bus stop, which the Committee was informed that the County would not need to do because the Greater Glens Falls Transit would be providing such an area; an increase in the furniture/fixtures expenditures from \$600,000 to \$800,000; and a reduction in the Information Technology budget from the requested \$310,961.51 to \$295,000. He noted that a resolution was included in the Supervisors' packets which outlined the new options as he discussed.

Mr. Champagne questioned if after further review of furniture, would the \$800,000 listed in the resolution be amended to a lesser amount and Mr. Haskell replied not at this time. Mr. Champagne asked if an inventory of current furniture at the Social Services building had been completed in order to determine what could be used in the new building. Mr. Haskell responded that an inventory list had been compiled and it had been determined that approximately 50% of the furniture was in good enough condition to be used in the new building.

Regarding the Personnel Committee, Mr. Thomas stated the meeting consisted mainly

of housekeeping issues, with the exception of the creation of a position in the DPW which would be budget neutral due to the deletion of two other positions. He added that a policy would be developed which would outline that when a State of Emergency was declared in the County or in a Town, that employees that worked in a voluntary capacity during a regular work day be paid their daily County pay. Mr. Thomas noted that after the policy was developed, four individuals that recently volunteered during an ice storm in Hague, would be credited their leave time used for that work day.

Mr. Sokol apprised that the Health Services Committee had met and the Committee was informed that the air handler project at Westmount Health Facility was under-way. He said that emergency repairs were needed on the boiler at Countryside Adult Home and the Committee authorized payment to Siemens for their services. Under the Health Services portion of the meeting, the Committee awarded the contract for the Point of Care software system to Delta Technologies, who was the lowest bidder.

Concerning the Public Safety Committee, Mr. VanNess expounded there were a number of resolutions included in the packets that originated from the Sheriff's portion of the meeting, such as inter-municipal agreements with the Department of Environmental Conservation (DEC) and the Village of Lake George in connection with fuel for the Marine Patrol Unit and dock construction. He noted there was also a resolution re-establishing the K-9 Unit, which would be at no cost to the County, other than the cost for liability insurance.

Sheriff York referred to Resolution No. 261 included in the packets and advised that he had just been informed that the grant funding had been reduced and the purchase of the two motorcycles would not be included. However, he said, the other aspects listed in the resolution would still be granted. The consensus of the board members was that the resolution should be amended to remove the two motorcycles and to correct the amount of funding being awarded.

Motion was made by Mr. VanNess, seconded by Mr. Geraghty and carried unanimously to amend Resolution No. 261 of 2008 to delete the two motorcycles and to change the dollar amount to \$23,780.

Returning to reports by Committee chairmen on past activities, the following continued to give verbal reports:

Supervisor Champagne, Planning and Community Development; Supervisor Stec, Finance; Supervisor Belden, Public Works; Supervisor O'Connor, Municipal Shared Services and Mental Health; and Supervisor Sheehan, Support Services.

Mr. Champagne stated he had chaired the Planning and Community Development Committee in the absence of Supervisor Sokol and the discussions were centered around the Outdoor Drama Theater project. He added that the Committee had decided to abandon the project due to budget constraints at this time. Chairman Monroe noted that he had received notification from Senator Little's Office indicating the last day to request legislation would be April 21, 2008 and he said, the County had considered requesting legislation regarding the use of park lands for the Outdoor Drama Theater. He further explained that the County Attorney had advised that the legislation was not feasible at this time due to the lack of the description of the property; therefore, he stated, the County would not proceed with legislation this year.

Mr. Payne commented that there was an existing Capital Project (No. H269.9550 280- Outdoor Drama) which had been established for the Outdoor Drama Theater, that had approximately \$50,000 in it. He further suggested that the Capital Project be closed and the remaining funds be returned to the General Fund.

Motion was made by Mr. Belden, seconded by Mr. Kenny and carried unanimously to waive the rules of the Board requiring a resolution be in writing. Clerk noted it would be Resolution No. 300 of 2008 for the record.

Motion was made by Mr. Belden, seconded Mr. Stec and carried unanimously authorizing the County Treasurer to close Capital Project No. H269.9550 280- Outdoor Drama and the remaining funds be returned to the General Fund. Clerk stated it would be Resolution No. 301 of 2008 for the record.

In connection with the Finance Committee, Mr. Stec expounded the Committee had approved an increase of 1/4% in the mortgage tax and a resolution requesting legislation for such was included in the packets. He further stated that the increase could result in an additional \$1 million in revenue. He noted he was disappointed that there was not a representative from the Treasurer's Office at the meeting. Mr. Stec said in comparison to the search for \$3 million in reductions to the 2009 County Budget, \$1 million in revenue would be a significant source. He advised that the Treasurer's Office had reported that the County surplus had decreased to between approximately \$500,000 to \$1 million; however, he stated, it was recently reported that the actual surplus was estimated at \$4.5 million. Mr. Stec apprised this was an unacceptable error and had been reported in local newspapers. He requested that the Treasurer's Office provide a written report of an accurate estimate of surplus.

Chairman Monroe apprised that the \$3 million that had been bonded for the 2005 flood damage needed to be paid off within the next two years. He reminded the board members that the damage occurred in July of 2005 and Hurricane Katrina struck in September of 2005, thereby eliminating the State reimbursement to the County in order to assist the southern portion of the Country that had been devastated. He advised that a letter had been prepared addressed to Senator Schumer outlining these facts, pointing out that the \$3 million alone would represent approximately a 9% tax increase for 2009 and requesting further consideration for reimbursement that was usually awarded in these types of disaster situations. Chairman Monroe recommended the Supervisors either contact or comprise a letter to Senator Schumer encouraging him to further review the County's request for reimbursement.

Mr. Bentley commented that at the recent Intercounty Legislative Committee of the Adirondacks meeting, they were informed that the State would be reducing all municipality reimbursements by 2%. He added that any purchases made through State contracts would include a 1/2% increase in cost on the purchase. He noted the State had also removed \$1 million from the snowmobile aid that had been allocated for snowmobile trail maintenance and returned it into the State's General Fund.

Continuing with verbal reports, Mr. Belden apprised that the Public Works Committee

had met and approved the creation of an Assistant Engineer position in DPW and added that the position was vital to the Department in order to continue daily operations. He also noted that during the Airport portion of meeting, the Committee had approved the purchase of the forestry mower and the resolution was included in the Supervisors' packets.

William Lamy, DPW Superintendent, interjected that he was asked to further research the possibility of leasing the forestry mower, as well as the productivity of the item and he noted he was prepared to provide his findings at the next Public Works Committee meeting. Mr. Belden suggested that the resolution authorizing the purchase of the mower be tabled until further information was obtained at next month's Committee meeting.

Motion was made by Mr. Belden, seconded by Mr. Kenny and carried unanimously to table Resolution No. 296, Rejecting Lowest Proposal; Awarding Bid to L.C. Whitford Equipment Company, Inc. for One New 2008 or Newer Forestry Mower.

Chairman Monroe reported that the County was pursuing the sale of the Hartford Landfill, which had been discussed with Washington County and they had agreed to selling the property as well. He noted that a draft for a 'Request for Expression of Interest' had been developed in relation to the sale of the landfill.

Concerning the Support Services Committee, Mr. Sheehan advised that under the Insurance portion of the meeting, discussions were held regarding the possibility of implementing a safety training program for County employees as a cost savings measure.

Chairman Monroe acknowledged Don DeGraw, Airport Manager, was at the meeting and welcomed him again to Warren County. He also announced the Economic Development Corporation Annual Luncheon meeting would be at the Great Escape Lodge on Friday, April 25, 2008 and asked the Supervisors to contact Elaine Belmer if they were interested in attending. He reminded the board members that there would be a LDC (Local Development Corporation) meeting immediately following the Board meeting.

Chairman called for reading of communications.

Clerk read communications, including the following:

Minutes from:

- Warren/Washington Counties Mental Health and its Chemical Dependency Subcommittee;
- Warren County Planning Board;
- Warren County Conservation Council;
- Warren/Washington Counties Industrial Development Agency.

Monthly Reports from:

- Weights & Measures;
- Probation;

Veterinarian.

Annual Reports from:

Warren County Soil & Water Conservation District;

New York State Developmental Disabilities Planning Council.

Robert L. Savarie, letter relating his concerns regarding legislation to require record keeping by pawn shops;

David Kruczlnicki, President of Glens Falls Hospital, letter regarding delay in County approval of Medicaid applicants at Glens Falls Hospital;

Michael and Sandra Jarvis, letter expressing their concerns regarding traffic congestion on Main Street/Corinth Road;

Little & O'Connor, Attorneys, letter of Intent regarding construction of a t-hangar at the Floyd Bennet Airport on behalf of ESMI Flight Services, LLC;

New York State Department of Civil Service, Fourth Quarter Empire Plan Experience Report for 2007;

Capital District Regional Off-Track Betting Corporation, March surcharge in the amount of \$10,279.

Communications, resolutions and reports ordered placed on file.

Chairman called for reading of resolutions and discussion.

Joan Sady, Clerk of the Board, advised that Resolution Nos. 250 through 297 were mailed. She noted that Resolution No. 267 was corrected and distributed; and a motion was needed to approve Resolution No. 267 as corrected. Motion was made by Mr. Sheehan, seconded by Mr. VanNess and carried unanimously to approve Resolution No. 267 as corrected.

Mrs. Sady advised a motion was needed to bring Resolution Nos. 249, 298 and 299 to the floor. Motion was made by Mr. Merlino, seconded by Mr. Sokol and carried unanimously to bring Resolution Nos. 249, 298 and 299 to the floor.

Mr. Kenny requested roll call votes on the following: Resolution No. 279, Requesting Introduction of Legislation Authorizing Warren County to Impose Additional Mortgage Tax; Resolution No. 289, Authorizing Supplemental Agreement No. 3 with Clough, Harbour & Associates, LLP for Additional Design Services Associated with the Warren County Scenic Rail Station Improvements (PIN 1755.91) Project; Resolution No. 290, Authorizing Agreement with New England Rail Car Association, Inc. and/or Upper Hudson River Railroad, Inc. for Motorcar Excursion on Warren County Railroad; Resolution No. 291, Authorizing Intermunicipal

Agreement with Town of Corinth with Regard to Railroad Crossing Signal at Antone Mountain Road; and Resolution No. 292, Amending Resolution No. 170 of 1979, Which Authorized the Superintendent of Public Works to Issue Permits for Use of Certain County Facilities, to Include Property That is Managed, Operated, Leased or Licensed by Warren County.

Mr. Taylor requested a roll call vote on Resolution No. 285, Supplementing Resolution No. 703 of 2007, Which Recommended Conceptual Approval for Part of Option No. 2 Relative to the Design and Construction of the Proposed Health and Human Services Building.

Chairman Monroe called for a vote on the resolutions.

Resolution Nos. 249 through 301 were approved, with the exception of Resolution No. 296, Rejecting Lowest proposal; Awarding Bid to L.C. Whitford Equipment Company, Inc. for One New 2008 or Newer Forestry Mower, which was tabled; Resolution No. 285, Supplementing Resolution No. 703 of 2007, Which Recommended Conceptual Approval for Part of Option No. 2 Relative to the Design and Construction of the Proposed Health and Human Services Building, which failed and Resolution No. 289, Authorizing Supplemental Agreement No. 3 with Clough, Harbour & Associates, LLP for Additional Design Services Associated with the Warren County Scenic Rail Station Improvements (PIN 1755.91) Project, which failed. Proclamations for Law Day 2008 in Warren County, National Crime Victims' Rights Week, Older Americans Month and Mental Health Month were submitted.

Mr. O'Connor questioned the status of the Health and Human Services Building since the resolution concerning the same just failed. Paul Dusek, County Attorney, recommended that the project be stopped due to the lack of sufficient direction for the design to continue with the building. Mr. Haskell suggested that all decisions should be held until the next County Facilities Committee meeting.

Mr. Champagne explained that he had voted in opposition to Resolution No. 285 because of the increase in the furniture expenditure from \$600,000 to \$800,000; however, he said, if the resolution was amended to reduce the furniture budget back to \$600,000 he would vote in favor of it. Chairman Monroe noted it would be helpful to the County Facilities Committee members if they were advised as to what the board members were opposed to in Resolution No. 285, which included three new items. Mr. Thomas agreed with Mr. Champagne, in that \$800,000 was too much for furniture.

Mr. VanNess commented that several hours were spent discussing the furniture budget at the Committee level and it had been determined that the Purchasing Agent, as well as the Committee members would review and approve any purchases prior to the funds being expended. He further expressed his extreme dissatisfaction with the decision to put the new building on hold again. He added that the Board of Supervisors had a responsibility to the employees of the County to provide a safe work environment. Mr. VanNess recommended that every Supervisor attend the County Facilities Committee meetings in order to avoid this type of situation from happening at a Board meeting, as well as to be better informed when it came to the decision making process on important projects.

Motion was made by Mr. Champagne, seconded by Mr. Stec and carried by majority vote, to amend Resolution No. 285 to reduce the furniture budget from \$800,000 to \$600,000, with Mr. Haskell voting in opposition. Mr. Dusek clarified that vote was for the amendment to the resolution and a vote to approve the amended resolution was required.

Motion was made by Mr. Taylor, seconded by Mr. Belden and carried by majority vote to approve the amended resolution as outlined above, with Mr. Haskell voting in opposition. Clerk noted it would be Resolution No. 302 of 2008 for the record.

Prior to adjournment, Mr. Dusek requested an executive session to discuss collective bargaining negotiations. Motion was made by Mr. Haskell, seconded by Mr. Geraghty and carried unanimously that executive session be declared pursuant to Section 105 (e) of the Public Officers Law.

Executive session was declared from 11:38 a.m. to 12:15 p.m.

Board reconvened. Chairman Monroe apprised no action was necessary pursuant to the executive session.

There being no further business, on motion by Mr. Bentley and seconded by Mr. Taylor, Chairman Monroe adjourned the meeting at 12:16 p.m.